

REMARKS

Claims 1-14 are pending. The independent claims are claims 1, 5, 13, and 14. Applicant respectfully requests reconsideration and allowance of these claims, in addition to the claims depending therefrom.

Applicant thanks the Examiner for the telephone interview with Examiner's attorney on November 24, 2005. At that time, it was discussed that the Office Action did not discuss the limitations of independent claim 5. Therefore, Applicant looks forward to learning the reasons for rejection of independent claim 5.

Some of the claims are rejected under 35 USC 103(a) as being obvious from *Olivier* (U.S. Pat. No. 6,512,802) in view of *Zhang* (U.S. Patent No. 6,404,809). Regarding independent claims 1, 13, and 14, the Office Action acknowledges that *Olivier* does not disclose the present claimed step of "after each decision step, examining whether said decision step is to be iterated" (see first full sentence on page 3 of the Office Action). The Office Action says this feature is instead disclosed by *Zhang*. However, the Office Action says that the "wherein" clause of claim 1 is disclosed by *Olivier* without any need to look at *Zhang* (see last two lines on page 2 of the Office Action). Applicant respectfully submits that the "wherein" clause of claim 1 would not make sense without iteration of the decision step, and therefore *Olivier* cannot possibly disclose the material in the "wherein" clause of present claim 1. After all, the "wherein" clause of present claim 1 says that computation of the bit decision is partly based upon the bit decisions of the previous decision step, which is unintelligible if there is no iteration of the decision step.

By way of background, Applicant notes that the wherein clause of the present independent claims is explained in further detail in the sentence beginning at the end of page 10 of the application as originally filed. Applicant respectfully submits that the cited *Olivier* reference does not disclose the material in the "wherein" clause of the present independent claims. The Office Action cites column 7, lines 2-45 of *Olivier* (see first sentence on page 3 of the Office Action), but this seems like a mistaken citation of *Olivier*; why not cite line 1 of *Olivier* also? Why cite lines 44-45 of *Olivier*? In any event, Applicant respectfully submits that

the “wherein” clause of the present independent claims is not disclosed or suggested by the cited *Olivier* reference, or by the un-cited *Zhang* reference.

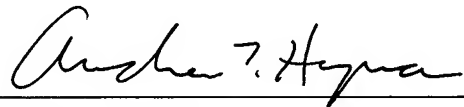
CONCLUSION

Therefore, the rejections of the Official Action of September 14, 2005, having been shown to be inapplicable, withdrawal thereof is requested, and passage of claims 1-14 is earnestly solicited. Applicant again respectfully notes that the Office Action did not discuss any of the elements of independent claim 5.

Respectfully submitted,

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WARE, FRESSOLA, VAN DER
SLUYS & ADOLPHSON LLP
Building Five, Bradford Green
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955



Andrew T. Hyman
Attorney for Applicant
Registration No. 45,858